



Public Notice

U.S. Army Corps	Permit Application No: _____	23305
Of Engineers	Date Issued: _____	23 February 2004
Galveston District	Comments Due: _____	24 March 2004

U.S. ARMY CORPS OF ENGINEERS, GALVESTON DISTRICT

PURPOSE OF PUBLIC NOTICE: To inform you of a proposal for work in which you might be interested. It is also to solicit your comments and information to better enable us to make a reasonable decision on factors affecting the public interest. We hope you will participate in this process.

AUTHORITY: This application will be reviewed pursuant to Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act.

APPLICANT: Live Oak Reserves, Inc.
2727 Allen Parkway, Suite 1200
Houston, Texas 77019-2153

AGENT: Shiner Moseley and Associates, Inc.
555 Carancahua Street, Suite 1650
Corpus Christi, Texas 78478-0010
Telephone: 361-857-2211

LOCATION: The project is located at State Tract 45, Copano Bay, Aransas County, Texas. The project can be located on the U.S.G.S. quadrangle map entitled: ROCKPORT, Texas. Approximate NAD27 UTM Coordinates for the drill location and beginning of pipelines: Zone 14; Easting: 688,554; Northing: 3,112,302. Approximate NAD27 UTM Coordinates for the Header Well #9 location and end of pipelines: Zone 14; Easting: 688,426; Northing: 3,112,902.

PROJECT DESCRIPTION: The applicant proposes to install a new surface well and two pipelines for the purpose of gas production. The project will involve the temporary installation of a barge-mounted drilling rig and a permanent production platform with attendant facilities. The well will be directionally drilled to a proposed bottom hole positioned approximately 300 feet from the eastern line and approximately 650 feet from the southern line of State Tract Number 45, Copano Bay. In addition, the applicant proposes the installation of two 2-inch diameter pipelines to extend southwest from the surface well to an existing platform (Header Platform #9) for the purpose of gas transport. The pipelines will be installed by jetting and the lines placed to a minimum depth of 3 feet below the mudline. The pipeline trench will be allowed to naturally return to pre-construction contours. The applicant's plans are enclosed in 4 sheets.

NOTES: This public notice is being issued based on information furnished by the applicant. This information has not been verified.

A preliminary review of this application indicates that an Environmental Impact Statement (EIS) is not required. Since permit assessment is a continuing process, this preliminary determination of EIS requirement will be changed if data or information brought forth in the coordination process is of a significant nature.

OTHER AGENCY AUTHORIZATIONS: Texas Railroad Commission certification is required.

Texas Coastal Zone consistency certification is required. The applicant has stated that the project is consistent with the Texas Coastal Management Program goals and policies and will be conducted in a manner consistent with said Program.

STATE WATER QUALITY CERTIFICATION: Texas Railroad Commission water quality certification is required.

NATIONAL REGISTER OF HISTORIC PLACES: The staff archaeologist has reviewed the latest published version of the National Register of Historic Places, lists of properties determined eligible, and other sources of information. The following is current knowledge of the presence or absence of historic properties and the effects of the undertaking upon these properties:

The State tracts proposed for work under this permit application are not included in the Texas Antiquity Committee's list of tracts containing State Archaeological Landmarks. Therefore, the proposed activities are not likely to affect pre-20th-century shipwrecks.

THREATENED AND ENDANGERED SPECIES: Preliminary indications are that no known threatened and/or endangered species or their critical habitat will be affected by the proposed work.

ESSENTIAL FISH HABITAT: This notice initiates the Essential Fish Habitat consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. Our initial determination is that the proposed action would not have a substantial adverse impact on Essential Fish Habitat or federally managed fisheries in the Gulf of Mexico. Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the National Marine Fisheries Service.

PUBLIC INTEREST REVIEW FACTORS: This application will be reviewed in accordance with 33 CFR 320-330, the Regulatory Programs of the Corps of Engineers, and other pertinent laws, regulations and executive orders. The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors, which may be relevant to the proposal, will be considered: among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs and, in general, the needs and welfare of the people.

SOLICITATION OF COMMENTS: The Corps of Engineers is soliciting comments from the public, Federal, State, and local agencies and officials, Indian tribes, and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Impact Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

This public notice is being distributed to all known interested persons in order to assist in developing facts upon which a decision by the Corps of Engineers may be based. For accuracy and completeness of the record, all data in support of or in opposition to the proposed work should be submitted in writing setting forth sufficient detail to furnish a clear understanding of the reasons for support or opposition.

PUBLIC HEARING: Prior to the close of the comment period any person may make a written request for a public hearing setting forth the particular reasons for the request. The District Engineer will determine whether the issues are substantial and should be considered in the permit decision. If a public hearing is warranted, all known interested persons will be notified of the time, date, and location.

CLOSE OF COMMENT PERIOD: All comments pertaining to this Public Notice must reach this office on or before **24 March 2004**. Extensions of the comment period may be granted for valid reasons provided a written request is received by the limiting date. **If no comments are received by that date, it will be considered that there are no objections**. Comments and requests for additional information should be submitted to:

Matthew Kimmel
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361-814-5847 Phone
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